

lower cost. CO<sub>2</sub> can be abated for \$100 to \$200 per ton. That is less than half the price of an electric vehicle subsidy.

I support efforts to reduce carbon emissions to preserve our air, land, and water for future generations, but those efforts don't have to come at this sort of exorbitant price. You can support all energy sectors and innovation and conservation. These are not mutually exclusive.

One great example is a bill I introduced called the LEADING Act, which was signed into law last year. This legislation incentivizes the research and development of carbon capture technology for natural gas and innovation in the energy industry at large. That is how we can keep costs down for taxpayers and maintain this revolution in the energy sector.

So I will continue to push back on efforts to weaken our energy independence and harm our economy in pursuit of arbitrary goals. There is simply no reason to stick taxpayers with the bill for these unnecessary policies when there are better commonsense ways to promote both innovation and conservation.

The PRESIDING OFFICER. The Senator from Washington.

#### ORDER OF BUSINESS

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate resume legislative session; that the Senate resume consideration of S. 1260; and that the following amendments be called up and reported by number: Wyden, 1975; Crapo, 1565; Paul, 2003; Ernst, 1507; Daines, 1787; and Lee, 1891; further, that at 4:45 p.m. today, the Senate vote in relation to the amendments in the order listed with no amendments in order to these amendments prior to the vote in relation to the amendment, with 60 affirmative votes required for adoption and 2 minutes of debate, equally divided, prior to each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

The Senate will now resume legislative session.

The Senator from Mississippi.

S. 1260

Mr. WICKER. Madam President, I would like to be recognized for a moment before we proceed.

This is an important step in the consideration of the Endless Frontier Act. We have just locked in six votes for this afternoon—two important side by sides, WYDEN and CRAPO on Finance Committee matters; a Paul amendment on the National Institutes of Health funds being used in China; an Ernst amendment on the Wuhan lab; a Daines amendment on intellectual property in China; and the Lee amendment on stem cell research.

This is a great step forward; that the Senate is proceeding this afternoon to regular order, and regular order allow-

ing Senators to come forward and offer amendments that might improve the bill is helpful. It is hoped that we can do that again tomorrow and Thursday and move toward an opportunity to pass this bill.

I would point out to my colleagues—and I know the distinguished chair of the Finance Committee will agree with this. We have locked in six 15-minute votes. In fairness, really, the five subsequent votes should be 10-minute votes. We can fool around and wander in here for hours and be here until 8 or we can begin at 4:45 and resume the practice that we had for years before we quit doing regular order in this body.

If Members will hold each other accountable and if the Chair is willing to say after a certain amount of time, if a straggler is missing, that that Senator simply has missed votes, then we can do this in an orderly fashion. I have an appointment at 5:30 that I have had to cancel. Perhaps others will have to do that too.

But we are making progress on a very substantive bill about the future of this country and moving toward competing in a better way with China. And I would suggest that maybe appointments in the early afternoon might be canceled, and we can get back to quick votes and be considerate of others, realizing that some of us may miss votes if we are late. I make that suggestion, and I thank my colleagues on both sides of the aisle for the hard work in locking in these six votes.

I yield back.

#### ENDLESS FRONTIER ACT—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume S. 1260, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1260) to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

Pending:

Schumer amendment No. 1502, in the nature of a substitute.

Cantwell amendment No. 1527 (to amendment No. 1502), of a perfecting nature.

AMENDMENT NOS. 1975, 1565, 2003, 1507, 1787, AND 1891 TO AMENDMENT NO. 1502

The PRESIDING OFFICER. Under the previous order, the following amendments will be called up and reported by number.

The bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL], for herself and others, proposes en bloc amendments numbered 1975, 1565, 2003, 1507, 1787, and 1891 to amendment No. 1502.

The amendments are as follows:

#### AMENDMENT NO. 1975

(Purpose: To set forth trade policy, negotiating objectives, and congressional oversight requirements relating to the response to the COVID-19 pandemic)

At the end of title III of division F, add the following:

#### SEC. 6302. TRADE POLICY AND CONGRESSIONAL OVERSIGHT OF COVID-19 RESPONSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is imperative to promote the development and deployment of vaccines, including to address pandemics like the pandemic relating to COVID-19 and its variants;

(2) as a developed nation with a longstanding commitment to promoting global health, innovation, access to medicine, public welfare, and security, the United States will continue to use the resources and tools at its disposal to promote the distribution of life-saving COVID-19 vaccines to other countries;

(3) President Biden should continue to work with foreign governments, multilateral institutions, nongovernmental organizations, manufacturers, and other stakeholders to quickly identify and address, through targeted and meaningful action, obstacles to ending the COVID-19 pandemic, whether those obstacles are legal, regulatory, contractual, or otherwise;

(4) in any efforts to address trade-related obstacles to ending the COVID-19 pandemic, President Biden should consider how any action would complement the whole-of-government approach of the President to ending the COVID-19 pandemic worldwide, including how any action would impact competitiveness, innovation, and the national security of the United States in the short- and long-term;

(5) the President should strive to create the most appropriate balance between access to COVID-19 vaccines and therapeutics and generating an innovative environment in the United States;

(6) the President should take into account the efforts of malign nations or entities to obtain intellectual property of United States persons through forced technology transfer, theft, or espionage, and accordingly make all efforts to protect that intellectual property from such nations or entities; and

(7) in any efforts to address trade-related obstacles to ending the COVID-19 pandemic, Congress expects timely and meaningful consultations on any negotiations and any agreements or decisions reached regarding matters of concern to members of Congress and their constituents, including issues of competitiveness, innovation, and national security.

#### (b) TRADE POLICIES WITH RESPECT TO THE COVID-19 PANDEMIC.—

(1) IN GENERAL.—It is the policy of the United States to facilitate an effective and efficient response to the global pandemic with respect to COVID-19 by expediting access to life-saving vaccines, medicines, diagnostics, medical equipment, and personal protective equipment.

(2) ELEMENTS.—The United States Trade Representative shall pursue a timely, effective, and efficient response to the trade aspects of the COVID-19 pandemic, including by endeavoring to—

(A) expedite access to medicines and life-saving products through trade facilitation measures;

(B) obtain a reduction or elimination of nontariff barriers and distortions that impact the procurement of life-saving products;

(C) take action to increase access to COVID-19 vaccines globally, while avoiding providing access to intellectual property to nations or entities that seek to utilize the

technology for other uses or that may otherwise pose a threat to national security;

(D) eliminate practices that adversely affect trade in perishable or temperature-sensitive products, and facilitate the transfer of materials and products in a manner that preserves their integrity;

(E) further strengthen the system of international trade and investment disciplines by demonstrating sufficient flexibility to respond to a global crisis while retaining a balanced approach to the rights of innovators;

(F) encourage greater cooperation between the World Trade Organization and other international organizations and public-private partnerships, including the World Health Organization, the United Nations Children's Emergency Fund (commonly referred to as "UNICEF"), the World Bank, and Gavi, the Vaccine Alliance; and

(G) take into account other legitimate domestic policies of the United States, including health and safety, national security, consumer interests, intellectual property rights, and the laws and regulations related thereto.

(C) CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.—

(1) INTENT TO NEGOTIATE.—If the United States Trade Representative enters any negotiation pursuant to the trade policies described in subsection (b), the Trade Representative shall—

(A) submit to Congress and publish in the Federal Register a statement specifying the objectives of the United States in pursuing the negotiation; and

(B) submit to Congress an assessment of how and to what extent entering the negotiation will achieve the trade policies described in subsection (b).

(2) CONSULTATION AND BRIEFING BEFORE MAKING PROPOSALS.—Before making any textual proposal pursuant to the trade policies described in subsection (b), the United States Trade Representative shall—

(A) consistent with section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872), consult with the heads of relevant Federal agencies, including the Secretary of Commerce, the Secretary of Health and Human Services, and the Secretary of Defense, which shall include, as appropriate, discussion of—

(i) the most effective means of addressing the COVID-19 pandemic and any variants to the COVID-19 virus, including by increasing the distribution of COVID-19 vaccines;

(ii) any sensitive technology or intellectual property rights related to the proposal;

(iii) any nations or entities of concern that may benefit from the proposal; and

(iv) other issues that may influence negotiations with respect to the proposal; and

(B) brief members of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the proposal, including with respect to how the objectives sought by the Trade Representative fit into a larger strategy of ending the COVID-19 pandemic.

(3) CONSULTATIONS DURING NEGOTIATIONS.—In the course of any negotiations pursuant to the trade policies described in subsection (b), the United States Trade Representative shall—

(A) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;

(B) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, including by providing any relevant text proposals before discussing those proposals with negotiation participants;

(C) consult closely and on a timely basis with, and keep fully apprised of the negotia-

tions, the Senate Advisory Group on Negotiations and the House Advisory Group on Negotiations convened under section 104(c) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(c)) and each committee of the Senate and the House of Representatives, and each joint committee of Congress, with jurisdiction over laws that could be affected by the negotiations; and

(D) follow the guidelines on enhanced coordination with Congress established pursuant to section 104(a)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(a)(3)) regarding consultations with Congress, access to text, and public engagement for the negotiations to the same extent as those guidelines apply to negotiations covered under that section.

(4) CONSULTATION WITH CONGRESS BEFORE CONCLUDING NEGOTIATIONS.—

(A) CONSULTATION.—Before either reaching a final agreement or exercising authority provided under section 122(b)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3532(b)(3)) pursuant to the trade policies described in subsection (b), the United States Trade Representative shall consult with—

(i) the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives;

(ii) each committee of the Senate and the House of Representatives, and each joint committee of Congress, with jurisdiction over laws that could be affected by the agreement or exercise of authority; and

(iii) the Senate Advisory Group on Negotiations and the House Advisory Group on Negotiations convened under section 104(c) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(c)).

(B) SCOPE.—In conducting consultation under subparagraph (A), the Trade Representative shall—

(i) provide the text of any proposed agreement for final consideration; and

(ii) consult with respect to—

(I) the nature of the agreement; and

(II) how and to what extent the agreement will achieve the trade policies described in subsection (b).

(d) DEFINITIONS.—In this section, the terms "World Trade Organization", "WTO", and "WTO member" have the meanings given those terms in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

#### AMENDMENT NO. 1565

(The amendment is printed in the RECORD of May 19, 2021, under "Text of Amendments.")

#### AMENDMENT NO. 2003

(Purpose: To prohibit the National Institutes of Health and any other Federal agency from funding gain-of-function research conducted in China)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ PROHIBITION ON FUNDING FOR GAIN-OF-FUNCTION RESEARCH CONDUCTED IN CHINA.

(a) IN GENERAL.—No funds made available to any Federal agency, including the National Institutes of Health, may be used to conduct gain-of-function research in China.

(b) DEFINITION OF GAIN-OF-FUNCTION RESEARCH.—In this section, the term "gain-of-function research" means any research project that may be reasonably anticipated to confer attributes to influenza, MERS, or SARS viruses such that the virus would have enhanced pathogenicity or transmissibility in mammals.

#### AMENDMENT NO. 1507

(Purpose: To prohibit any Federal funding for the Wuhan Institute of Virology)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ PROHIBITION ON FEDERAL FUNDING FOR WUHAN INSTITUTE OF VIROLOGY.

Notwithstanding any other provision of law, no Federal funding may be made available to the Wuhan Institute of Virology located in the City of Wuhan in the People's Republic of China.

#### AMENDMENT NO. 1787

(Purpose: To direct the President to enforce the intellectual property provisions of the Economic and Trade Agreement Between the Government of the United States of America and the Government of China)

At the end of title III of division F, add the following:

#### SEC. 6302. ENFORCEMENT OF INTELLECTUAL PROPERTY PROVISIONS OF ECONOMIC AND TRADE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Agreement includes significant mandates for the People's Republic of China related to its domestic intellectual property regime, including with respect to copyrights, trademarks, trade secrets, and patents;

(2) the changes included in the Agreement, if implemented effectively, should improve the domestic intellectual property framework of the People's Republic of China, which has historically proven to harm the innovation and creative communities in the United States;

(3) despite commitments made by the Government of the People's Republic of China under the Agreement, ongoing market access barriers, uneven enforcement, measures requiring forced technology transfer, and serious deficiencies in the rule of law continue to make the business environment in the People's Republic of China highly challenging for rights holders in the United States;

(4) as reflected in the 2021 report by the United States Trade Representative required under section 182(h) of the Trade Act of 1974 (19 U.S.C. 2242(h)) (commonly referred to as the "Special 301 Report"), the People's Republic of China has consistently been listed in that annual report since 1989 as a trading partner of the United States that "fails to provide adequate and effective IP protection and enforcement for U.S. inventors, creators, brands, manufacturers, and service providers, which, in turn, harm American workers"; and

(5) Congress encourages the United States Trade Representative, the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Secretary of Commerce, and the Director of the United States Patent and Trademark Office—

(A) to use all available tools to ensure that the People's Republic of China fully implements its commitments under the Agreement; and

(B) to actively consider additional means to require the People's Republic of China to address unfair market access barriers, forced technology transfer requirements, and broader intellectual property theft concerns, including through future trade agreements and working with partners in multilateral organizations, such as the Group of 7 (G7), the Group of 20 (G20), and the World Trade Organization.

(b) ENFORCEMENT OF AGREEMENT.—The President, acting through the United States Trade Representative, shall coordinate with

the heads of such Federal agencies as the President considers appropriate to enforce the actions related to intellectual property laid out in the Agreement including—

(1) the civil, administrative, and criminal procedures and deterrent-level civil and criminal penalties provided in the Agreement; and

(2) by using the full enforcement authority of the President, including any enforcement authority in connection with the identification and reporting process under section 182 of the Trade Act of 1974 (19 U.S.C. 2242).

(c) **REPORT ON STATUS OF IMPLEMENTATION OF CERTAIN OBLIGATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the United States Trade Representative shall submit to the appropriate committees of Congress a report on the status of the implementation by the People's Republic of China of its obligations under Chapter 1 of the Agreement.

(2) **INFORMATION IN REPORT.**—Each report required by paragraph (1) shall contain information sufficient to enable the appropriate committees of Congress to assess the extent of the compliance by the People's Republic of China with the Agreement, including appropriate quantitative metrics.

(d) **DEFINITIONS.**—In this section:

(1) **AGREEMENT.**—The term “Agreement” means the Economic and Trade Agreement Between the Government of the United States of America and the Government of China, dated January 15, 2020.

(2) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

#### AMENDMENT NO. 1891

(Purpose: To impose limitations on research)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. **LIMITATION ON RESEARCH.**

None of the activities authorized by this Act may include, conduct, or support any research—

(1) using fetal tissue obtained from an induced abortion or any derivatives thereof;

(2) in which a human embryo is created or destroyed, discarded, or put at risk of injury;

(3) in which an embryo-like entity is created wholly or in part from human cells or components;

(4) in which a human embryo is intentionally created or modified to include a heritable genetic modification; or

(5) using any stem cell the derivation of which would be inconsistent with the standards established herein.

**THE PRESIDING OFFICER (Mr. MURPHY).** The Senator from Delaware.

#### WASHINGTON, D.C. ADMISSION ACT

Mr. CARPER. Mr. President, I rise this afternoon, along with several of our colleagues, to discuss the need to end the policy of taxation without representation, which millions of Americans in the District of Columbia have endured for over 200 years and hundreds of thousands still endure today.

This policy was wrong in 1776, when 13 colonies took on the mightiest nation on Earth to end it. It is wrong today, and we seek to end it through the enactment of S. 51, the Washington, D.C. Admission Act.

In just 6 days, our country will observe Memorial Day, a holiday often observed to mark the start of summer. We celebrate it to mark the start of

summer. But on Memorial Day of this year, many of us will pause to remember the generations of Americans in our Armed Forces who have laid down their lives for our country. That is what Memorial Day is all about. This day means something special in my own family. My own maternal grandmother was a Gold Star mother.

With the death of John McCain, I am the last Vietnam veteran serving in the U.S. Senate.

The names of some 58,000 men and women with whom John and I served are engraved on a black granite wall near the Lincoln Memorial, just a few miles from where we are standing today. The heroes named on that wall include brave men and women from Washington, DC, as well. Since World War I, in fact, over 5,000 Americans from the District of Columbia have lost their lives in service to the United States. And, today, roughly 15,000 DC residents are on Active Duty or serving as reservists or members of the National Guard in the States. That is 15,000 Americans serving dutifully in the Army, Navy, Air Force, Marines, or the Coast Guard.

Our Nation's Capital is home to more than just monuments and museums. It is home to Americans who work, who start businesses, and who contribute to America's economy. And just like all 50 States represented in this body, the District of Columbia is home to veterans and servicemembers who risk their lives for our country, even today. But, year after year, they come home to find that they are still denied the ability to have a real say in our Nation's future.

These heroes are among the nearly 700,000 Americans who call the District home and for generations have lived without voting representation in Congress. That is why I view Washington, DC's statehood not as a Republican or Democratic issue, not as a political issue but as an American issue—as an issue of basic fairness and equality.

Earlier this year, the senior Senator from Utah sought to overturn a law passed by the DC City Council, right here on the Senate floor. As U.S. Senators, neither of us should have such an opportunity to intervene in a local matter like that. But in the Senate, we have power over the budget of the District of Columbia—let me just point this out—a city that has a double A-plus credit rating—double A-plus. I am an old State treasurer. That is pretty darned good—better than most States, in fact, if you check.

We also have confirmation power in the Congress over the District's judges, an arrangement that needlessly led to extensive judicial vacancies and delayed justices for weeks, for months, and, in some cases, for years. That is wrong.

I reminded my colleagues that day that no one in this room was elected by the people of the District of Columbia. Nobody in this room was elected by the people of the District of Columbia, and

no one here was able to stand up and represent their interests. This should be unacceptable in a 21st century democracy.

However, I believe that the tide is starting to turn. I believe we can finally make DC statehood a reality during this Congress, the 117th Congress.

We have a fearless champion in the House, Congresswoman ELEANOR HOLMES NORTON. With her leadership, along with that of the Speaker and Leader STENY HOYER, the House passed their DC statehood bill last month for the second time—the second time ever.

We also have, for the first time, a President who formally supports ending this policy—this modern-day policy—of taxation without representation. And in the Senate, we have a record 45 cosponsors on our bill to make the District of Columbia a State, a number that represents Members from rural and urban areas alike. This number has grown steadily since my friend, our former colleague, Joe Lieberman—a fiercely independent Senator from Connecticut—led this charge in the Senate before passing the baton to me in 2013.

I know that some of our colleagues have said that DC statehood is unconstitutional. To be clear, the District of Columbia has taken the same steps for statehood that 37 other States have taken since 1791—the same steps—a process clearly laid out in our Constitution. This case was made clearly in a letter to Congress just this week from nearly 40 leading constitutional scholars, who wrote that Congress is well within its rights to grant statehood.

On a different holiday later this summer, we will be celebrating July Fourth to remember those who fought for our independence, and I will remind my colleagues again that the Founding Fathers, the same men who wrote our Constitution, had a rallying cry during the Revolutionary War: There is no taxation without representation.

Yet that is exactly what is happening to the citizens in the District of Columbia today. The reality is that these citizens pay the most—get this, the citizens of the District of Columbia pay the most—in per capita Federal income taxes in the United States, more than any other State, but they have no say in how those dollars are spent, none.

This second-class status must come to an end, and we in Congress are the ones who can do something about it.

Winston Churchill once said: You can always count on America to do the right thing in the end, after they have tried everything else.

It is never too late to do the right thing. The right thing to do now is to ensure that nearly 700,000 Americans living in the District of Columbia, serving in our military, voting, actually have a chance to vote on the representation in this body and in the House. The right thing to do is to end this policy of taxation without representation.

With that, I thank you, and I yield the floor to some of my colleagues who, I believe, will be joining us on this call, including the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I am honored to join in a colloquy with some of my colleagues today on this urgent issue to really talk about the central function of our democracy, whether the ideals of this Nation are real for every American.

Now, if you cut me, I am going to bleed Jersey. But let me tell you very plainly that I am proud to have grown up in Jersey, but I am also proud to have been born in Washington, DC. This is where my parents met after college. This is where they fell in love. Their first date was at the Jefferson Memorial, at the paddle boats there at the Reflecting Pool. They, there, remember—telling me—just the love they had for each other that was already dawning, but also this fierce allegiance to this incredible community that is Washington, DC. My mom talked about the activism that was here. She was working for the public schools as a speech pathologist, and she talked about this patriotic feel that she had, especially when she was helping to organize the March on Washington. The words on the Jefferson Memorial, where my parents had their first date, at the end of Declaration of Independence, say: “[W]e mutually pledge . . . our Lives, our Fortunes, and our sacred Honor.”

That is what we are called to pledge to one another, but for too long the people of this city have not had the honor, the privileges, the equal citizenship rights that so many others in every State in our Union, in all parts of our democracy, enjoy. These are rights, as my colleague says, that Washington, DC—in fact, disproportionate to many other States—people from this community have bled for and died for.

This city is an extraordinary place. It is a community. It outnumbers, in fact, in population other States. And we believe that the ideals of one person, one vote, no taxation without representation—that all of these are rights being denied fellow Americans. Where is the honor in that?

Veterans and servicemembers living here in DC did indeed fight for us, put their lives on the line for us, but do not have equal citizenship rights.

The people of DC pay both local and Federal taxes that go to help the people in red States and blue States. They are a city that pays more taxes than they are necessarily receiving back, but when the people of DC need help, when they need an advocate with voting power, they don't have one in this body or in the one across the hall.

The lack of representation really has consequences—serious ones—that significantly decreases DC's leverage in getting laws passed and securing vital

resources for its residents. We saw this firsthand in the first COVID-19 stimulus bill. Washington, DC, received \$725 million less in critical aid than other less populous States. That was funding needed for Washington, DC, first responders, for COVID-19 tests, and other important lifesaving services. They were treated as second-class citizens.

How is this fair? How is this just? How is this sacred honor? And how can this be partisan? These are our sacrosanct values for those of us on both sides of the aisle. This is how our democracy was intended to function. These were some of the elements of the Revolutionary War.

I am hard-pressed to believe that my colleagues on either side of the aisle don't recognize that to deny the people of Washington, DC, representation is contrary to the values that we state regularly on this floor. Making DC a State is truly a civil rights issue, and it is also an issue of racial justice.

DC is a majority-minority city, and the people of this city deserve the same opportunity that other less populated States have to make their voices heard in Congress. This is especially urgent as we are seeing so many States around the country enact sweeping voting laws intended to make it harder for the DC majority—Black and Brown folks—to even vote.

As U.S. Senators, we have an obligation not just to pass laws but to be stewards of democratic ideals and principles. We took an oath to that. Making DC a State is not just a matter of civil rights for DC. It is about all of us because our democracy will only survive as long as its true representation is that of all of its people. Truly, we know in this Nation—it has been said by greater leaders before us—that injustice anywhere is a threat to justice everywhere.

The people of DC have made clear what they want, saying it loudly. They deserve full citizenship rights. They deserve the right to vote. They deserve the right to have representation. They want to be the 51st State. They should be the 51st State.

My parents lived for many years in this city, and I heard about DC statehood as a little boy growing up in New Jersey. For them, it was a matter of dignity and respect. It was a matter of valuing this community and the richness of its people. To them, it is a shortfall in the evolution of our democracy that the people of this great city should be denied the very ideals that are written on the Jefferson Memorial.

I urge my colleagues to move on this and to grant this DC statehood and to afford them the sacred honor that all Americans deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I am thrilled to rise and join my colleagues in pressing the case for DC statehood. I won't be long because I was on the floor about 3 weeks ago talking about

this same matter. I really talked about Virginia then. I talked about Patrick Henry.

The phrase “no taxation without representation” is a phrase that we learn coming up in elementary school. The root of it isn't really at the beginning of, say, the Declaration of Independence or during the Revolutionary War; that phrase really came about as colonists rallied to oppose the Stamp Act.

The Stamp Act was an act of Parliament in 1765 that put a tax on paper goods, including newspapers and pamphlets and periodicals. The English Crown was getting very, very worried about the restive nature of Americans pressing their case for being treated equally as royal colonists and subjects of the Crown, but they were not happy with the way they were being treated.

The Stamp Act was an attempt not just to levy a tax, but it was also an attempt to shut down their rights to have political discussions.

Patrick Henry led an effort in the Virginia General Assembly in 1765 that came to be known as the four resolves. He put five resolves on the table, one of which was set aside, but four resolves were passed, and the core of the four resolves was to protest taxation without representation.

One of my great regrets was wanting to hear the great orators of history and never to have had a chance to hear Patrick Henry, although I have heard good Patrick Henry impersonations at St. John's Church in Richmond. What a powerful speaker—the “Give me liberty or give me death” speech on the very kind of verge of the United States declaring independence; his court advocacy as a relatively untrained lawyer in Virginia on behalf of religious freedoms so that people who were not part of the established Church of England could still practice their faith as they chose. But many believe that Henry's advocacy against the Stamp Act was his most powerful oratory.

I read excerpts from the resolves when I was here 3 weeks ago, but now I want to jump from Patrick Henry to somebody else who is very much in the spirit of Patrick Henry, and that is Frederick Douglass.

If DC becomes a State, it will become a State named in honor of the abolitionist Frederick Douglass.

Frederick Douglass certainly was an inheritor of the Patrick Henry tradition. He was enslaved for the first 20 years of his life, and then following the Civil War, he moved to the Nation's Capital to become so many things—diplomat, civil rights leader, confidant of President Lincoln, President Grant, and others.

In his autobiography, “The Life and Times of Frederick Douglass,” he wrote:

The District of Columbia is the one spot where there is no government for the people, of the people, and by the people. Its citizens submit to rulers whom they have had no choice in selecting. They obey laws which they had no voice in making. They have a

[sic] plenty of taxation, but no representation. In the great questions of politics in the country, they can march with neither army [neither party], but are relegated to the position of neutrals.

Those are the words of the great Frederick Douglass echoing the Patrick Henry speech a century earlier against the Stamp Act. Those words are as true today as they were when he wrote them, and they were as true when he wrote them as when Patrick Henry delivered them in 1765.

In the history of States coming into the Union, most States have some pretty interesting background and history, but there are some common themes. The two commonalities—but then there has been one quirk that I want to mention as I conclude—the two commonalities are States come into the Union when they achieve sufficient population and when they have a demonstrated desire that is not just temporary, effervescent, but is essentially fixed and permanent.

In the mid-1800s, Congress would set a population deadline. Say, for example, in the Northwest Territory, Michigan was told: As soon as you get to 60,000 residents, then we will entertain you if you want to be a State, but you have to do a referendum first.

There is no minimum number established by Congress in terms of population now to become a State, but we would all agree that DC would pass any minimum because DC is larger than States that currently are part of the Union. So whatever criteria we might set—well, you need to be of sufficient size to be a State—DC has met that.

DC has met the second criteria as well, which is demonstrated desire, most recently in a referendum in 2016 where the overwhelming sentiment of DC, as you would expect, was a patriotic sentiment: We want to be a State of the greatest Nation on Earth.

So those two criteria have usually been sufficient for States having demonstrated that or territories or populations having demonstrated that to become part of the Union and to have their star added to the flag of this country.

There have been controversies, though, bluntly, when States have sizable minority populations.

The quest of Hawaii for statehood took longer than it otherwise would have because many Members of this body stood on the floor and expressed concerns about whether Hawaii would be a cultural match for the United States because of the predominant API and indigenous population. I am sad to say that some of those who took the floor and raised those questions and objections were from Virginia.

The State of New Mexico had a particularly rocky path to becoming a State because Members of this body, including from Virginia, took the floor and raised a question about the size, the population, the percentage of New Mexico's indigenous and Latino population.

About 46 percent of the population of DC is African American, folks who—many march in the footsteps and quest for the same equality that Frederick Douglass was questing for in the 1800s.

I hope we can show that the failures of the past that led statehood for New Mexico and Hawaii to take perhaps longer than should have been the case—I hope we will have learned something from that and can move finally to grant these 700,000-plus residents of this wonderful city in our Nation's Capital the ability to be a State.

The last thing I will say is this. I did say this when I was on the floor 3 months ago. We haven't added a State, we haven't added a star to our flag for I guess 70 years now, about 70 years. I don't think a fixed number of stars on the flag sends a message of a growing, thriving nation. I think it might send the message of a nation that is kind of fixed. When you are fixed and set and not willing to change, I believe that can almost send a little bit of a message of decline.

Throughout our Nation's history, the addition of stars to the flag has sent the message of an America that—we are not done growing. We are not done expanding. We are on the move. History isn't done with us yet.

The fact that we haven't added a State—this has been the longest period of time in the history of the United States where we haven't added a star to the flag. I think doing so would suggest very powerfully that the best days of our Nation aren't behind us; they are still ahead of us.

For these reasons and those articulated by my colleagues, I strongly support the effort for DC statehood.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I want to start by thanking the senior Senator from Delaware for his long-time persistence in making sure that this Congress ultimately does the right thing and makes the District of Columbia the 51st State.

I want to thank Congresswoman EL-EANOR HOLMES NORTON for representing the people of the District of Columbia so ably. She deserves a vote in the House of Representatives just like every other Member of the House of Representatives from the 50 States. The District of Columbia deserves two Senators right here in the U.S. Congress.

I want to thank President Biden for saying that if this Senate will just get this bill to his desk, he will sign that piece of legislation and make sure that these people in the District of Columbia are represented as every other citizen in the 50 States is currently represented.

All of us come to this floor and we hear our colleagues on both sides of the aisle talking about the importance of democracy overseas. We criticize China, rightly, when it begins to snuff out the right to vote in Hong Kong. We

criticize the authoritarian rulers in Belarus when they clamp down on freedom. We look around the world, and we try our best to establish a standard for standing up for the principle of democracy. We are not always consistent. We are not always constant in that message, but we make an effort to do that. We need to look in the mirror and make that same effort right here at home.

I hear so many of my colleagues on the other side of the aisle talking about the importance of democracy around the world, but when it comes to granting the people in the District of Columbia the full rights of a democracy—the right to two votes in the Senate and a vote in the House—they are not there.

The people of the District of Columbia are fed up and tired of the hypocrisy. They are even more fed up about what my friend and colleague, the Senator from Virginia, was just talking about—the fact that they contribute in every way to our country but are denied the right to have voting representation in the House and the Senate.

As the Senator from Virginia said and others have said, a founding principle of our revolution was the idea that nobody should be subject to taxation without representation. The Senator from Virginia talked about Patrick Henry, and there are others who we know established that principle. Here in the Nation's Capital, the people of the District of Columbia pay higher taxes than those in 22 other States; yet they don't have a vote in the House or two Senators to represent them.

They have also had people who served in every one of our wars, who spilled blood for this country. Yet, while they helped to protect our democracy from threats abroad, they don't have the right here, in our democracy, to cast those votes for voting representatives in the House and the Senate.

This is not a partisan issue. We know it shouldn't be. We know that if every Member put on a blindfold and just said that the people of the District of Columbia deserve a vote without thinking of the political outcome, the people of the District of Columbia would have a State.

As others have pointed out, two States have smaller populations, but they have two Senators who can cast votes here in this Chamber. The State of Wyoming and the State of Vermont are both smaller population-wise than the District of Columbia, but they have those rights and representatives here in the U.S. Senate.

We should move forward with the State of Washington, Douglass Commonwealth, and to hear our Republican colleagues oppose this idea, since they don't want to take it on the principle of democracy—we have heard some absurd reasons given for why the District of Columbia should not be a State. Here are a few. And if anybody doubts that Republican Members in the House or Senate have said these things, I will be happy to show it to you.

We have heard from Members of Congress that people of the District of Columbia don't deserve statehood because it doesn't have a landfill. We have heard that the District of Columbia shouldn't be given statehood because it needs more car dealerships. First, they said: Well, it can't be a State because it has no car dealerships, but now it doesn't have enough of them. Others have said: Well, because it lacks a mining industry, how could it possibly be a State? And then most recently, we heard that it would be unfair to give the people of the District of Columbia a State here because their representatives would have an unfair advantage. They would have special superpowers because they would be so close to this Capitol that they would somehow be able to get an unfair leg up on everybody else here in the U.S. Senate.

These are reasons that Republican House Members and Senators have given for denying the people of the District of Columbia the right to statehood. We all know what they are. It is just a wall of excuses in their trying to obfuscate and prevent us from getting to the main issue. If you don't want to talk about the principle of democracy, change the subject.

The real concern, as we know, is that the people of the District of Columbia will cast votes for representatives in the House and Senate who they think best reflect their interests, and they believe that, in the current situation, those seats will go to Democratic Members in the Senate and the House.

As my colleagues have said, the District of Columbia is comprised of a majority of people of color, and the Senator from Virginia talked about the history of that having been an impediment to the admission of some other States in the past before the country did the right thing. We have the power to do the right thing.

I have here a letter from 39 constitutional scholars affirming our authority to make the District of Columbia the 51st State. We should do it.

Frederick Douglass once noted that the District of Columbia was "one spot where there is no government for the people, of the people, and by the people." His words are a call from history—a call that demands that we reflect on this act of selective disenfranchisement that has been happening for generations and which is still happening to this day right outside of this building right now. Let us change that today. Let us change that and make this the 51st State and name it in honor of Frederick Douglass.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I first want to thank my colleague and friend Senator CARPER for leading this effort with S. 51, the Washington, D.C. Admission Act. It is long overdue that we acknowledge an injustice in our country and give the citizens of the District of Columbia their full representation rights by statehood.

I have been working on this issue for a long time. When I was the speaker of the Maryland General Assembly almost 40 years ago, the Maryland General Assembly took action to give full representation to the people of the District in the Congress of the United States. That was 40 years ago, and we are still working on this issue. It is long overdue that we acknowledge a shortcoming in our own system for 700,000 residents of the District of Columbia.

I had the honor of chairing the U.S. Helsinki Commission. It is the implementation arm for the Helsinki Final Act of the Organization for Security and Cooperation in Europe. It has the membership of all of the countries of Europe and the former Soviet Union, Central Asia, Canada, and the United States. I mention that because in 1975, those countries entered into an agreement on basic, fundamental democratic principles, including the right to have representative government.

That document also gives us the opportunity and obligation to question whether member states are in compliance with the Helsinki Final Act. Quite frankly, we have used that opportunity to raise issues in countries.

Our Presiding Officer has been very aggressive in his comments about Russia, and we have used that to bring up the fact that Russia violated the commitments of the Helsinki Final Act when it invaded Ukraine and when it took over Crimea, and it is still interfering with the sovereignty of Ukraine. We have offered our objections when Russia's Government has stepped on the human rights of the people of its own country—like those of Aleksei Navalny's, the opposition leader, being imprisoned and tortured. That is in violation of the Helsinki Final Act. We have raised those issues.

We have raised those issues about another member state, Turkey, when they have jailed journalists or failed to allow civil society an opportunity to be heard, for they are violations of the Helsinki Final Act.

For us to have credibility in raising these issues of other countries that are violating the fundamental principles, we have to self-evaluate where we are. If we are going to be leaders, we have to acknowledge our own shortcomings and take steps to eliminate those shortcomings.

Quite frankly, we are an outlier when it comes to the representation for the people of the District of Columbia. We have violated their basic rights. We are the only country in the world wherein the citizens of its capital do not have the opportunity to vote for representatives in the national legislature. That is not a distinction that we want to have.

The 700,000 people who live in the District are being denied representation in their government. As has been pointed out, it is larger than some of our States. Those States have fewer people but have two U.S. Senators and

a Member of the House of Representatives, and the people of the District should be likewise treated.

This is not a matter of politics; this is a matter of fundamental rights. America's strength is in our values, in who we are as a people. Our ability to lead globally depends upon our doing the right thing at home.

We need to give the District of Columbia that status. The House has already done this. It passed H.R. 51. It has done this and has given the bill to us. All we need to do now is take it up and pass it. So let us act now, at long last, and do what is right for the people of the District and do what is right for the people of our Nation by correcting this violation that we have in our system. Let's pass S. 51, led by Senator CARPER, for DC statehood and make sure that America continues to lead in democratic values around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I ask unanimous consent to complete my remarks before any rollcall votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

S. 1260

Mr. YOUNG. Mr. President, this week is Indy 500 Week in the State of Indiana. For these 7 days, Hoosiers will be swept up in the pageantry and the tradition of the Greatest Spectacle in Racing. Every minute this week is leading toward the moment when the white flag comes out, signifying the final lap, when the drivers make one last push toward the finish line.

I couldn't help but think about this annual tradition as we enter the home stretch on the Endless Frontier Act in the coming days. The legislation has evolved and improved and grown over the last few months. We now know it as the U.S. Innovation and Competition Act, but as we head into this week, I thought it important to reset and refocus on why we began this journey in the first place.

For me, it began back in 2019, in the gym of all places, where one morning, Senator SCHUMER and I began talking about the need to go on offense against the Chinese Communist Party. Since the Cold War, Beijing has aimed to overtake America, not with weapons but through innovation, through economic growth. Through Made in China 2025, Beijing set out with a deliberate plan to dominate the world through strategic investments and emerging technologies, all of which have the potential to fundamentally change this century's economic and security environment for good or for ill.

Until now, we have primarily focused on defensive countermeasures to thwart aggression by the Chinese Communist Party: blocking Huawei, imposing export controls, and improving foreign investment rules. Look, these priorities are really important, and they must remain part of the mix, but if



America is to lead the world in the 21st century, it is neither realistic nor practical to build an economic iron curtain around China. You see, just as we did in the 20th century, we must not simply contain our leading global competitor but, instead, outinnovate and outgrow it. We must go on offense.

The Endless Frontier Act was and is our effort to do just that, to make the kinds of research and science investments we haven't made for decades. We are creating a new Technology Directorate at the National Science Foundation and creating regional tech hubs to ensure we are leveraging the talents and abilities of Americans across the country, with the corresponding economic benefits reaching those in the heart of our country, not just those on the coasts.

This legislation will be a boost to our economy, but make no mistake—it is not just about the economy. This is about deciding which standards, which values are going to animate these new technologies in the future: the values we see cracking down on protesters in the streets of Hong Kong? the values that enslave millions of Uighurs in Xinjiang? our American values, which recognize that all men are created equal and are endowed by their Creator with certain unalienable rights?

America is watching, and the free world is watching. All who are watching should be encouraged. You see, this body has largely embraced this objective. We have continued to go through the regular Senate order—an increasingly rare accomplishment in this body—of allowing each Member to offer amendments to improve this legislation. In fact, it was marked up in the Senate Commerce Committee and approved by a vote of 24 to 4. Last week, it came to the Senate floor, and we considered more amendments. This week, we will consider even more amendments.

As is typically the case in regular order, nobody gets everything he wants, including the bill's authors. As one example, through the markup process, less investment than I had originally proposed will now be provided to the NSF Tech Directorate, but that is OK. It is OK because this change and others are ones I can live with so that we can come together and prove that our system works while advancing a once-in-a-generation investment in science and technology.

We must send a message to the authoritarians in Beijing. They say we are too divided to lead the world in the 21st century. It is time to come together and prove them wrong.

As we Hoosiers say at the Indianapolis Motor Speedway, the white flag is out. This is the final lap for this bill in the U.S. Senate. I look forward to seeing this open process through to the finish line so that, together, we can outcompete, outinnovate, and outgrow the Chinese Communist Party.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent that I and Senator WYDEN and Senator SCHUMER may be able to complete our remarks before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1565

Mr. CRAPO. Mr. President, I rise today to speak on amendment No. 1565 to the U.S. Innovation and Competition Act, or USICA, the underlying bill.

My amendment preserves the constitutional authority of Congress over international trade. It does so by ensuring the President cannot waive or modify congressionally approved trade agreements, including the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights, or TRIPS—the TRIPS Agreement. And the reason is that the TRIPS Agreement, like the USICA, contains provisions that facilitate the leadership of the United States in scientific and technological innovation.

China is challenging that leadership through predatory practices aimed at our highest value sectors, including our pharmaceutical sector. Plain and simple, China wants our intellectual property.

Remarkably, the administration announced, without consulting Congress, that it would support a waiver of U.S. intellectual property rights under the TRIPS Agreement with respect to vaccines. Moreover, the U.S. Trade Representative declined to confirm that she would oppose letting this waiver extend to China.

Colleagues, there are vaccines precisely because the innovative U.S. firms exist because of strong IP protections. The problem with access to vaccines is not intellectual property. The problem is the manufacturing capacity.

This amendment I am proposing allows the administration to proceed, providing it is willing to make the case, including by presenting evidence and respecting Congress's authority. The outcome is subject to congressional approval, just like the original TRIPS Agreement.

I also demand real consultation with Congress. My colleague's amendment provides only that the administration will provide relevant proposals and pertinent documents to Congress related to the final agreement. There is no reason to grant this leeway to the administration given its existing failure to consult with us.

My amendment requires the administration to provide the text of any U.S. proposal to Congress 5 business days before it is tabled in a trade negotiation, not after it has agreed to amend a congressionally approved agreement.

With respect to that agreement and the other WTO agreements, we have spoken clearly as a body that the United States can withdraw from these agreements if, and only if, Congress passes a resolution to that effect.

For example, it requires reports on issues central to whether the adminis-

tration's decision makes sense and provides for consultation by the administration with the public and Congress concerning its proposal. This will facilitate transparency, identify any national security risks presented by the administration's proposal, and, importantly, will stop an action that does not further vaccine access or present a risk to our national security.

Accordingly, if the administration's proposal is determined by the administration's own Agencies not to present a risk to U.S. national security and that it positively facilitates vaccine access, the administration may continue negotiating and seeking an outcome for a waiver.

It must not be the case that once Congress approves a trade agreement, the administration can simply withdraw rights or obligations under a congressionally approved trade agreement or alter its terms however it sees fit. Yet that is exactly what the administration is seeking to do here.

If we were to accept that proposition, what is the point for Congress's approving any future trade agreement if the administration can simply alter it without again coming to Congress to make that change?

This amendment ensures that the administration's proposal will, in fact, get a vote by applying fast-track-like procedures to its conclusions. It also prohibits our IP from going to China or Russia.

I have only one redline, which I suspect all of you share: The administration may not waive U.S. IP rights under the TRIPS Agreement to China and Russia. Congress approved the entry of these two countries into the WTO precisely because we wanted to hold them accountable to WTO rules.

Russia and China are a threat to American innovation and the principle reason why the USICA is before us on the floor of the Senate today. So why would we then allow the administration to legally bless their malfeasance?

If we must stand together and waive the IP rights of Americans, the least we can do is insist that China and Russia, which tout the successes of their own vaccines, not be allowed to take hard-earned U.S. technology.

This concern is particularly valid since the Chinese Government is actively trying to steal mRNA technology, and its efforts to develop such technology is led, in fact, by an arm of the Chinese military.

USICA is a sincere, bipartisan effort to promote American innovation in the face of China's predations. My amendment complements that effort and must likewise be considered.

I encourage all of my Democrat and Republican colleagues to support it.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1975

Mr. WYDEN. Mr. President and colleagues, Senator CRAPO has brought forward an amendment to the competition bill. It deals with the Biden administration's announcement that it

would participate in negotiations on intellectual property and the coronavirus vaccines.

Unfortunately, my friend's amendment also goes far beyond the current pandemic and adds roadblocks to any improvements to any other trade agreements into the future. So I must oppose Senator CRAPO's amendment.

I am offering an alternative, which the Senate will also vote on shortly. The fact is that even though COVID is receding in many American communities, the virus will still be a danger to Americans as long as there are outbreaks and mutations around the world.

That is a big reason why the Biden administration is working overtime to increase vaccine production and distribution as quickly as possible in our country and around the world. It is also why the administration announced its intention to participate in negotiations over the vaccine IP waivers. The U.S. Trade Representative will be in charge of our participation in those negotiations.

Again, unfortunately, the Crapo amendment would tie up our U.S. Trade Representative in bureaucratic redtape and reporting for many months before she could speak to any of our trading partners about the issue.

Ambassador Tai and the Biden administration recognize that the TRIPS waiver is not going to end the pandemic overnight. However, the American people and countries around the world cannot afford the delay that the Crapo amendment would cause.

The Crapo amendment puts the U.S. Trade Representative into what amounts to a straitjacket, making it hard—if not impossible—to negotiate fixes or modifications to any trade agreement, for any reason. It would make the process for modifying an agreement more difficult than getting into that agreement in the first place. That is a big roadblock to improvements that could raise standards for workers and the environment.

I will close by mentioning that I have filed an alternative, amendment 1975. My amendment guarantees transparency and consultations throughout the negotiations. It makes clear that the United States must promote global access to vaccines, all while safeguarding our IP from hostile foreign powers and protecting American innovation.

So here is the bottom line: It is not only possible, it is absolutely essential for our system to include strong intellectual property protections, as well as exceptions to promote the common good at the same time.

My amendment strikes the right balance. The Crapo amendment just goes too far in the direction of blocking the administration from using all available tools to fight the pandemic and to make improvements to any other trade agreements.

For that reason, I urge Senators to support my amendment, 1975. I urge

my colleagues to oppose my friend's amendment, the Crapo amendment, and that will be the next vote.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that all votes after the first be 10 minutes in length, and we are going to try to stick to it as best we can. So please, Members, we are trying to finish. We have six votes. We are trying to get them done.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 1975

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to the Wyden amendment, No. 1975.

Mr. WYDEN. Mr. President, I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

Mr. MENENDEZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 204 Leg.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoever	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Wicker
Daines	Murkowski	Young
Ernst	Paul	
Fischer	Portman	

#### NOT VOTING—1

Kennedy

The PRESIDING OFFICER (Mr. MARKEY). On this vote, the yeas are 50, and the nays are 49.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The amendment (No. 1975) was rejected.

VOTE ON AMENDMENT NO. 1565

The PRESIDING OFFICER. The question now appears on the Crapo amendment, No. 1565.

Mr. CRAPO. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator yields back his time.

Mr. WYDEN. I yield back.

The PRESIDING OFFICER. Senator WYDEN yields back the majority time.

All time has expired.

The question is on agreeing to the Crapo amendment.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 205 Leg.]

#### YEAS—53

Barrasso	Grassley	Portman
Blackburn	Hagerty	Risch
Blunt	Hawley	Romney
Boozman	Hoever	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Kelly	Scott (SC)
Collins	King	Shelby
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Manchin	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Murkowski	Young
Graham	Paul	

#### NAYS—46

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Smith
Cardin	Lujan	Stabenow
Carper	Markey	Tester
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Feinstein	Padilla	Wyden
Gillibrand	Peters	
Hassan	Reed	

#### NOT VOTING—1

Kennedy

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 53, the nays are 46.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The amendment (No. 1565) was rejected.

AMENDMENT NO. 2003 TO AMENDMENT NO. 1502

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided,



prior to the vote in relation to the Paul amendment No. 2003.

The Senator from Kentucky.

Mr. PAUL. Mr. President, we may never know whether the pandemic arose from the lab in Wuhan, but we do know that so far no intermediate animal host has been discovered. Thousands of animals at the wet market have been looked at. None of them have carried COVID-19. We have tried to infect COVID-19 into bats. It doesn't grow well in bats. It seems most adapted and suitable for humans. We may not know whether this ever arose out of a Wuhan lab, but I think gain-of-function research, where we take a deadly virus, sometimes much more deadly than COVID, and then we increase its transmissibility to mammals is wrong.

In 2014, NIH stopped all of this research. I am using the same definition to say any gain-of-function research should not be funded in China with U.S. taxpayer dollars. I recommend a "yes" vote.

VOTE ON AMENDMENT NO. 2003

Ms. CANTWELL. Mr. President, I ask unanimous consent to vitiate the 60-vote requirement for this amendment and yield back time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.

The question is on agreeing to the amendment.

It seems as if the ayes have it.

(Applause.)

The amendment (No. 2003) was agreed to.

Mr. SCHUMER. Let's hear it for RAND PAUL for passing an amendment unanimously.

AMENDMENT NO. 1507 TO AMENDMENT NO. 1502

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, on the Ernst amendment No. 1507.

The Senator from Iowa.

Ms. ERNST. Mr. President, for years prior to the COVID pandemic, U.S. taxpayer dollars were being funneled into Communist China's state-run Wuhan Institute of Virology.

After COVID appeared in the vicinity of the Wuhan Institute, instead of cooperating with efforts to discover the source of the outbreak, Chinese officials instead ordered the destruction of some of the coronavirus samples and blocked access to the lab.

China continues to obstruct international efforts to discover the origins of COVID, refusing to allow independent scientists to review the database of coronaviruses that were being studied in the Wuhan Institute.

Providing additional U.S. funds to subsidize any state-run lab in China, especially the Wuhan Institute of Virology, goes against the very purpose of the underlying bill, which is to support more research in the United States to better compete with China.

My amendment would assure that not another dime of taxpayer dollars goes to subsidizing Communist China.

With that, I yield.

The PRESIDING OFFICER. The Senator from Washington.

VOTE ON AMENDMENT NO. 1507

Ms. CANTWELL. Mr. President, I ask unanimous consent to vitiate the 60-vote requirement for this amendment, and I yield back time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 1507) was agreed to.

(Applause.)

AMENDMENT NO. 1787 TO AMENDMENT NO. 1502

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to the consideration of the Daines amendment No. 1787.

Senator DAINES.

Mr. DAINES. Mr. President, this amendment is called the Protecting IP Act. It is a bipartisan amendment that will help increase enforcement of the United States and China phase one trade deal.

This deal put in place important protections for America's intellectual property, the research inventions, copyrights, and more.

China has been a notorious and serial abuser of American intellectual property for decades, and that is why the phase one deal put in place a number of important safeguards. Unfortunately, China has not lived up to their end of the deal. It is critical that we hold China accountable for its commitments.

As we debate increasing investment in advanced research, we cannot look the other way and allow China to continue to steal American intellectual property. That is why I introduced this bipartisan Protecting IP amendment with Senator CORTEZ MASTO, to ensure the President and the USTR uses all available tools to enforce the phase one agreement.

We are in a race against China and must remain globally competitive. That is why I urge my colleagues to support this commonsense and bipartisan agreement.

The PRESIDING OFFICER. The Senator from Washington.

VOTE ON AMENDMENT NO. 1787

Ms. CANTWELL. Mr. President, I ask unanimous consent to vitiate the 60-vote requirement for this amendment and yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 1787) was agreed to.

AMENDMENT NO. 1891 TO AMENDMENT NO. 1502

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided,

prior to the vote in relation to the Lee amendment No. 1891.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak up to 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, all human lives from conception to natural birth have innate, immeasurable dignity and worth. They are not play things. They are not mere objects for scientific experimentation.

Experiments that use aborted fetal tissue and practices that create and destroy human embryos or human lives in their earliest stages of development flatly deny that truth. Unfortunately, our own tax dollars sometimes incentivize experiments of this very kind. And the bill before us provides no exceptions, no protections to prevent it.

The Endless Frontier Act includes over \$80 billion of authorized funding for key areas of biotechnology, medical technology, genomics, and synthetic biology without any ethical guardrails or protections for the earliest stages of life.

Many Americans do not want to see their taxpayer dollars used to destroy, experiment on, or unethically alter human life, and they shouldn't be forced to do so.

Now, thankfully, there are some of these protections in annual appropriations measures that go through the Department of Health and Human Services. And they have been there for decades, but because this bill expands research at the NSF, the Department of Commerce, and the Office of Science and Technology, which are funded through a different appropriations bill through CJS, the HHS riders do not apply.

That is why I am offering this amendment, which would simply prohibit any research funded through the Endless Frontier Act from using fetal tissue obtained from an abortion and creating, destroying, discarding or putting human embryos at risk.

While the NSF currently has an Agency policy that bans research in which a human embryo is created or destroyed, this would codify that. We need it to codify that. We need this to be consistent with what we do elsewhere to protect the sanctity of human life.

Look, human lives at every stage are too precious to tinker with. Our research and laws should uphold this truth. This amendment would help ensure permanent protections to do precisely that.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this bill is an important opportunity for Congress to put partisanship aside and help families in our country by boosting American competitiveness. This means making sure American research is guided by science, not by ideology.

Unfortunately, with this amendment, the Senator is doing the exact opposite. This amendment says, loud and

clear, that even during a pandemic, supporters will put ideology ahead of science and ahead of patients' health and gladly undermine the same type of research that helped develop new therapies for COVID-19.

This is an irresponsible, ideological attack on science and medical research. And it not only undermines doctors and researchers and patients' healthcare, it also undermines the goal of this whole bill, which is to boost American innovation and competitiveness. I urge a "no" vote.

VOTE ON AMENDMENT NO. 1891

Mr. LEE. I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 206 Leg.]

#### YEAS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Manchin	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

#### NAYS—51

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

#### NOT VOTING—1

Kennedy

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1891) was rejected.

The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Mr. President, I rise tonight to once again call for this entire body to have the opportunity to consider the Military Justice Improvement and Increasing Prevention Act. This would ensure that people in the military who have been subjected to sexual assault and other serious crimes get the justice they deserve.

I first introduced this legislation in 2013. Since then, the committee has had 8 years to consider it, to ask questions, to pursue changes, and to implement alternative solutions, and we have. In fact, over the period of 15 years, the committee enacted nearly 250 legislative provisions designed to address the scourge of sexual assault in the military. We have modified data reporting requirements. We have added questions to surveys. We have required annual reports on the status of sex offense investigations. We have required developments of strategies to hold leadership accountable. We have chartered special panels, commissions, and advisory committees to address this problem, and we have enacted their recommendations.

We have made scores of small adjustments, and they have just not moved the needle. The most recent annual report from the Department of Defense proves it. Reports of sexual assault have increased virtually every single year and remain at record highs, while prosecution and conviction rates have declined. The current system is not working. We need real reform, and we have the legislation to do it.

In 2014, I asked for a vote on this bill, and it earned majority support—55 votes—but it was filibustered. In 2015, again I earned majority support, but it was filibustered. I asked for a vote in 2016, 2017, 2018, 2019, and 2020, and I was denied every single time.

I am again asking on behalf of servicemembers who do so much for this country, who will sacrifice themselves and their lives for this Nation, and on behalf of the bipartisan, filibuster-proof majority of Senators who support this legislation and want to enact this reform, and this vote is being denied again.

How long must our servicemembers wait for real reform? How long must they wait for a criminal justice system that is worthy of their sacrifice? There is no persuasive argument for the need to allow more time to consider this legislation in committee. The committee has had nearly a decade to consider it. Most Members of this body have had years to consider it, and those who have had the least time to consider it, our newest Members, have already seen the need for reform. Nine out of ten new Senators, Republicans and Democrats alike, including the two new members of the Armed Services Committee, have already cosponsored this bill.

This bill is now supported by 64 bipartisan Senators who deserve to have the opportunity to cast a vote for this important bill. We don't have to take the time for another incremental step. It is time to bring this vote to the floor.

I ask unanimous consent that, at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate Armed Services Committee be discharged from further consideration of S. 1520 and the

Senate proceed to its consideration; that there be 2 hours for debate equally divided in the usual form; and that upon the use or yielding back of time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, for the reasons that I articulated last evening, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I continue to advocate for the ability of this body to vote up or down on this bill. This is an important moment in our Nation's history. This is a generational change whose time has come.

Previously, when such important reforms were needed, such as the don't ask, don't tell repeal, they were brought directly to the floor. It is time to bring this to the floor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNIZING THE 100TH ANNIVERSARY OF THE 1921 TULSA RACE MASSACRE

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 234, submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 234) recognizing the 100th Anniversary of the 1921 Tulsa Race Massacre.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LANKFORD. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution.

The resolution (S. Res. 234) was agreed to.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")